

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JAMES S. SENN, # 253389, )  
                                )  
Plaintiff,                 )  
                                )  
v.                             ) CIVIL ACTION NO. 2:07cv919-MHT  
                                )  
PIKE COUNTY COMMISSIONERS, et al., )  
                                )  
Defendants.                 )

**ORDER**

On November 5, 2007 (doc. no. 6), the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent and de novo review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED as follows:

1. That the Recommendation (doc. no. 6) is ADOPTED;
2. That the plaintiff's claims against defendants Pike County Commissioners are DISMISSED with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (iii);
3. That defendants Pike County Commissioners are DISMISSED as defendants in this cause of action; and
4. That this case, with respect to the plaintiff's claim against the remaining defendants, is REFERRED BACK to the Magistrate Judge for appropriate proceedings.

DONE, this the 28th day of November, 2007.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE